

CA087289

To Permanent Rules of Order of the Board of County Commissioners of Shelby County,
Tennessee
SHELBY COUNTY BOARD OF COMMISSIONERS
AGENDA ROUTE SHEET

Referred to Commission Committee (name) Conservation

For Commission Action on (date) 5/12/08

DESCRIPTION OF ITEM:

RESOLUTION TO APPROVE THE TRANSFER OF RIVERDALE PARK, FARMINGTON PARK, AND RED DEVIL FIELD, INCLUDING ALL EXISTING PARK IMPROVEMENTS, EQUIPMENT AND INVENTORY THEREON, TOGETHER WITH A TOTAL OF 26.48 ACRES OF LAND UPON WHICH THE PARKS ARE SITUATED, OWNED BY SHELBY COUNTY, FOR THE USE AND BENEFIT OF THE SHELBY COUNTY CONSERVATION BOARD, LOCATED IN VARIOUS LOCATIONS IN THE CITY OF GERMANTOWN, TO THE CITY OF GERMANTOWN, WITHOUT MONETARY CONSIDERATION, FOR ITS CONTINUED DEVELOPMENT, OPERATION AND MAINTENANCE FOR PUBLIC OUTDOOR RECREATIONAL PURPOSES.

Sponsored by: Commissioner Henri Brooks

CHECK ALL THAT APPLY BELOW:

☒ This Action does NOT require expenditure of funds.

☐ This Item requires/approves expenditure of funds as follows (complete all that apply):

County General Funds: \$ _____; County CIP Funds- \$ _____

State Grant Funds: \$ _____; State Gas Tax Funds: \$ _____

Federal Grant Funds: \$ _____

Other funds (Specify source and amount): \$ _____

Other pass-thru funds (Specify source and amount): \$ _____

Originating Department: Shelby County Real Estate

APPROVAL:

Dept. Head:	<u>Tom Moss</u> (901) 545-4440	<u>SM</u>	<u>4/18/08</u>
	(Type your name & phone #.)	(Initials)	(Date)
Elected Official:	_____	_____	_____
	(Type your name & phone #.)	(Initials)	(Date)
Division Director:	<u>TED FOX</u> (901) 545-4266	<u>TF</u>	<u>4/23/08</u>
	(Type your name & phone #.)	(Initials)	(Date)
CIP - A&F Director:	_____	_____	_____
	(Type your name & phone #.)	(Initials)	(Date)
Finance Dept.:	<u>Mike Swift</u> 545-4269	<u>MS</u>	<u>4/25/08</u>
	(Type your name & phone #.)	(Initials)	(Date)
County Attorney:	<u>Palmer Skelton</u> 545-4362	<u>PS</u>	<u>4/24/08</u>
	(Type your name & phone #.)	(Initials)	(Date)
CAO/Mayor:	<u>James F. Huntzicker</u> 545-4514	<u>JH</u>	<u>4/28/08</u>
	(Type your name & phone #.)	(Initials)	(Date)

SUMMARY SHEET

I. Description of Item

A Resolution Approving the transfer of Riverdale Park, Farmington Park, And Red Devil Field totaling 26.48 acres of land upon which the parks are situated, purchased between 1964 and 1977, owned by Shelby County, for the use and benefit of the Shelby County Conservation Board, located in various locations in the City of Germantown, to the City of Germantown, without monetary consideration, for its continued development, operation and maintenance for public outdoor recreational purposes; these three parks have been operated and maintained to-date since 1983 by the City of Germantown under a long term lease, during which time the City of Germantown has invested substantial funds in the improvements thereon.

II. Source and Amount of Funding

- A. Amount Expended/Budget Line Item
NONE
- B. All Costs (Direct/Indirect)
NONE
- C. Additional or Subsequent Obligations or Expenses of Shelby County
NONE

III. Contract Items

Interagency Cooperation Contract

IV. Additional Information Relevant to Approval of the Item

The Shelby County Conservation Board reviewed this matter and afterwards, approved a motion during its regularly scheduled meeting on October 20, 2004 recommending the transfer of Riverdale Park, Farmington Park, And Red Devil Field to the City of Germantown, without monetary consideration, under the provisions contained in the attached Interagency Cooperation Contract which require the City of Germantown to continue the use of these properties as public parks and to assume all grant obligations, if any, associated therewith.

ITEM # _____

Prepared by: Bill Goss

Commissioner _____

Approved by: 
County Attorney

RESOLUTION TO APPROVE THE TRANSFER OF RIVERDALE PARK, FARMINGTON PARK, AND RED DEVIL FIELD, INCLUDING ALL EXISTING PARK IMPROVEMENTS, EQUIPMENT AND INVENTORY THEREON, TOGETHER WITH A TOTAL OF 26.48 ACRES OF LAND UPON WHICH THE PARKS ARE SITUATED, OWNED BY SHELBY COUNTY, FOR THE USE AND BENEFIT OF THE SHELBY COUNTY CONSERVATION BOARD, LOCATED IN VARIOUS LOCATIONS IN THE CITY OF GERMANTOWN, TO THE CITY OF GERMANTOWN, WITHOUT MONETARY CONSIDERATION, FOR ITS CONTINUED DEVELOPMENT, OPERATION AND MAINTENANCE FOR PUBLIC OUTDOOR RECREATIONAL PURPOSES.

Sponsored by: Commissioner Henri Brooks

WHEREAS, Shelby County Government and the Shelby County Conservation Board, due to budgetary constraints, are desirous of decreasing their ongoing expense of developing, operating and maintaining a county-wide park system by transferring the ownership of all existing County owned parks, located within each municipality and its annexation reserve areas, along with all obligations, duties, responsibilities and liabilities associated therewith, to the respective municipal government for its continued development, operation, maintenance and use of the parks for public outdoor recreational purposes; and

WHEREAS, In 1964, Shelby County, for the use and benefit of the Shelby County Conservation Board, purchased a 10.08 acre tract of land, by Warranty Deed of record as described in Book 5313, Page 268, in the Register's Office of Shelby County, Tennessee, located at 7345 Neshoba Road in Germantown, Tennessee, and further identified as Shelby County Tax Parcel No. G0219 00237, upon which tract of land Riverdale Park has subsequently been constructed and developed by the Board but operated and maintained to-date since 1983 by the City of Germantown under a long term lease; and

WHEREAS, In 1973, Shelby County, for the use and benefit of the Shelby County Conservation Board, purchased a 9.41 acre tract of land, by Warranty Deed of record as described in the Register's Office of Shelby County, Tennessee, in the Register's Official Record Book under Instrument No. H7 8181, located at 2029 Cordes Drive in Germantown, Tennessee, and further identified as Shelby County Tax Parcel No. G0220 00116, upon which tract of land Farmington Park has subsequently been constructed and developed by the Board but operated and maintained to-date since 1983 by the City of Germantown under a long term lease; and

WHEREAS, In 1977, Shelby County, for the use and benefit of the Shelby County Conservation Board, purchased a 9.99 acre tract of land, by Warranty Deed of record as described in the Register's Office of Shelby County, Tennessee, in the Register's Official Record Book under Instrument No. M1 6327; subsequently the Shelby County Conservation Board transferred to Shelby County 3.00 acres of the same in 1997 by Quit Claim Deed of record as described in the Register's Office of Shelby County, Tennessee, in the Register's Official Record Book under Instrument No. HD 6878; and upon the remaining 6.99 acres of which, located at 2710 Cross Country Drive in Germantown, Tennessee, and further identified as Shelby County Tax Parcel No. G0231 00577, Red Devil Field has subsequently been constructed, developed, operated and maintained to-date by the Board but operated and maintained to-date since 1983 by the City of Germantown under a long term lease; and

WHEREAS, The City of Germantown is agreeable to take over the ownership, operation, maintenance, and future development of Riverdale Park, Farmington Park, and Red Devil Field (including the land, existing park improvements, equipment, and inventory thereon), along with all of the obligations, duties, responsibilities and liabilities associated therewith; and

WHEREAS, The Shelby County Conservation Board reviewed this matter and afterwards, approved a motion during its regularly scheduled meeting on October 20, 2004 recommending the transfer of Riverdale Park, Farmington Park, and Red Devil Field to the City of Germantown, without monetary consideration, under certain terms and conditions contained in the attached Interagency Cooperation Contract, which is hereby incorporated by reference; and

WHEREAS, The general public would best be served having all of its local parks under direct ownership by the municipal government having jurisdiction of the areas within which the parks are located, therefore, it is deemed to be in the best interest of Shelby County and the Shelby County Conservation Board to transfer the ownership, operation, maintenance, and future development of Riverdale Park, Farmington Park, and Red Devil Field (including the hereinabove described land, existing park improvements, equipment, and inventory thereon), along with all of the obligations, duties, responsibilities and liabilities associated therewith to the City of Germantown, without monetary consideration, under the terms and conditions contained in the aforescribed Interagency Cooperation Contract.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the aforescribed transfer the ownership, operation, maintenance, and future development of Riverdale Park, Farmington Park, and Red Devil Field (including the hereinabove described land, existing park improvements, equipment, and inventory thereon), along with all of the obligations, duties, responsibilities and liabilities associated therewith to the City of Germantown, without monetary consideration, under the terms and conditions contained in the aforescribed Interagency Cooperation Contract be and the same are hereby approved.

BE IT FURTHER RESOLVED, That the Mayor be and he is authorized to execute the attached Interagency Cooperation Contract and any other documents, including but not limited to a Quit Claim Deed and Bill of Sale, necessary to effect the transfer of ownership, operation, maintenance, and future development of Riverdale Park, Farmington Park, and Red Devil Field (including the hereinabove described land, existing park improvements, equipment, and inventory thereon), along with all of the obligations, duties, responsibilities and liabilities associated therewith to the City of Germantown for the aforementioned purpose.

A C Wharton, Jr.
County Mayor

Date: _____

ATTEST:

Clerk of County Commission

ADOPTED _____

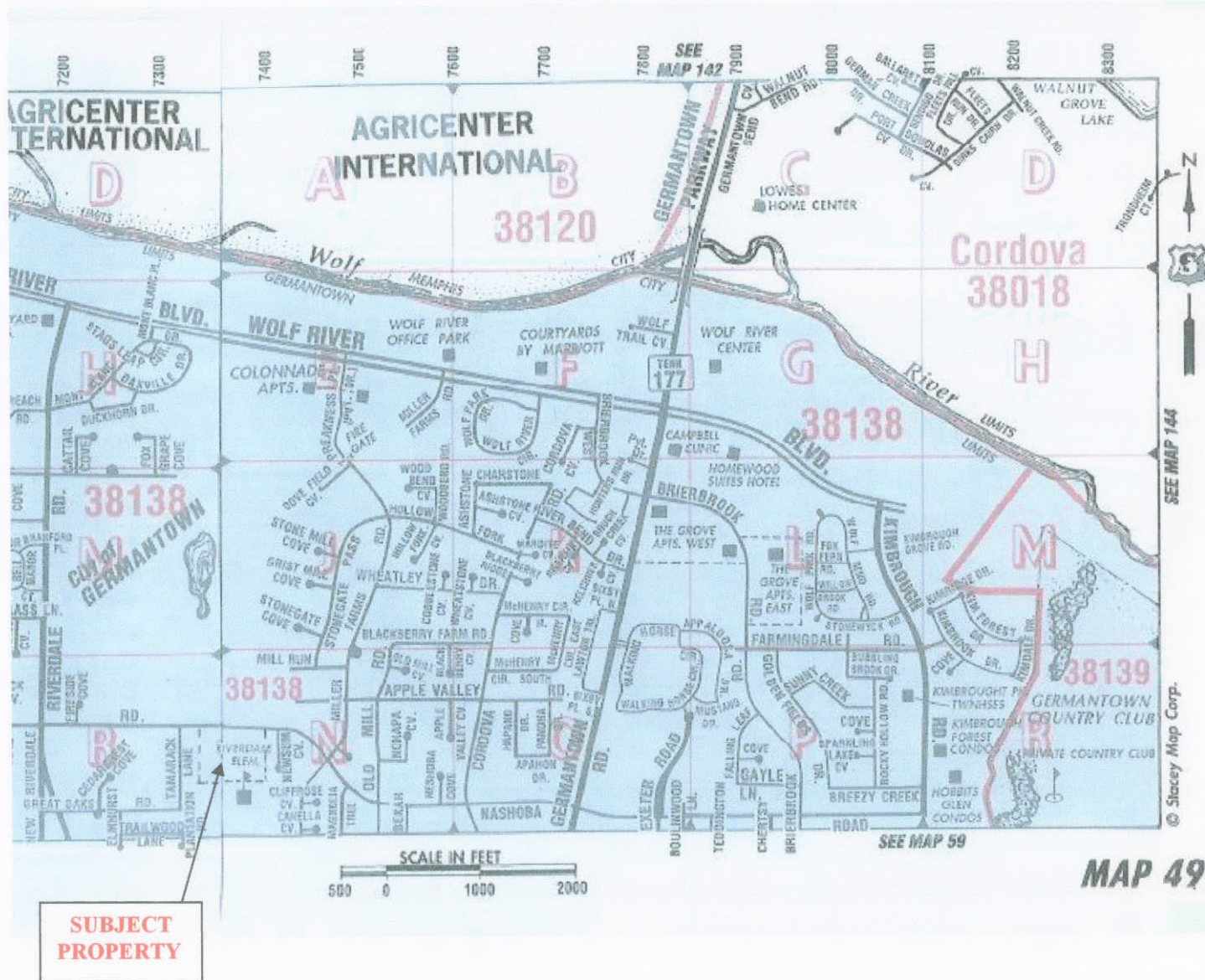
Riverdale Park Property

Location: 7345 Neshoba Road

Size: 10.08 acres Tax Parcel No. G0219 00237



Size: 10.08 acres Tax Parcel No. G0219 00237



Farmington Park Property

Location: 2029 Cordes Drive

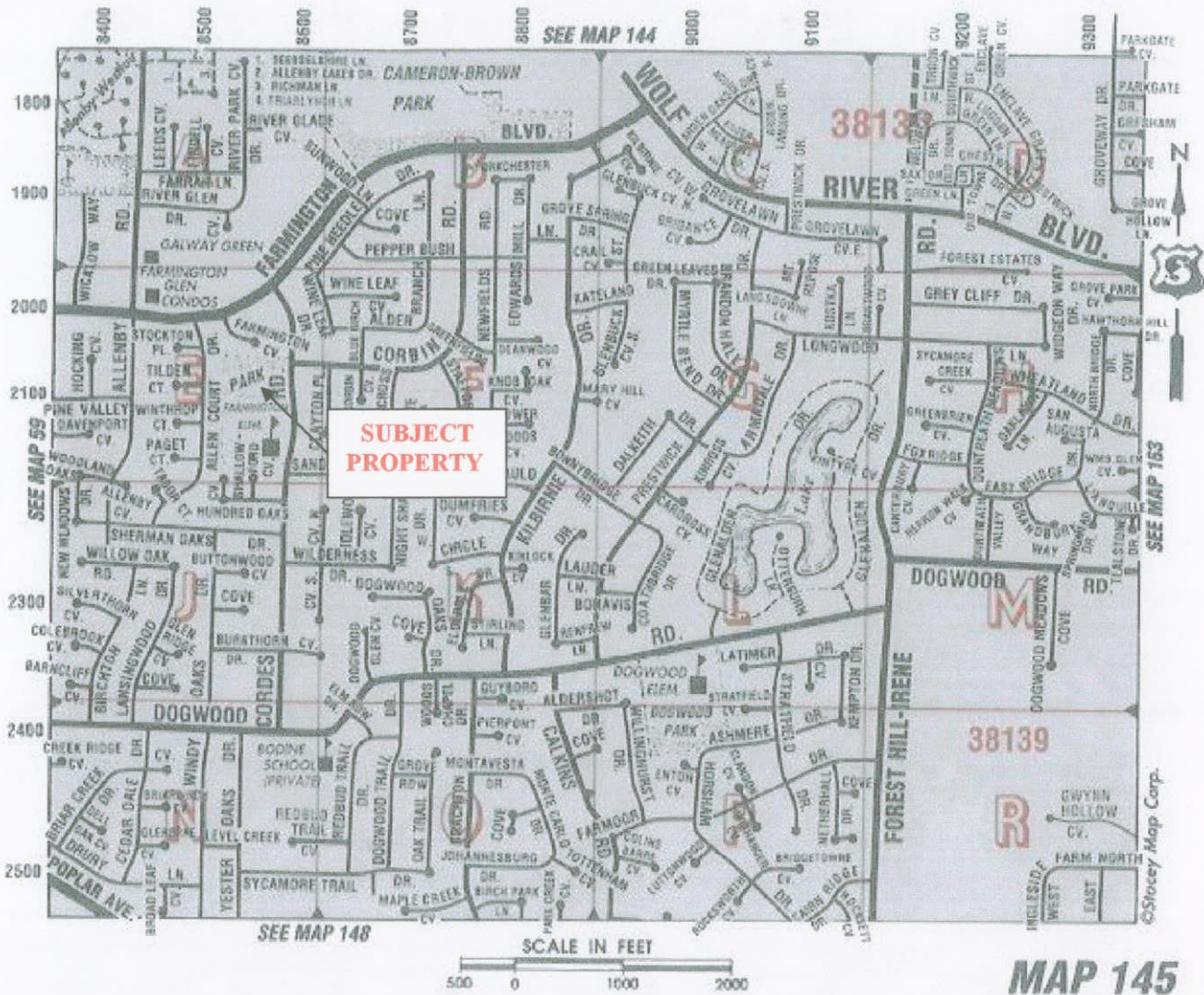
Size: 9.41 acres Tax Parcel No. G0220 00116



Farmington Park Property

Location: 2029 Cordes Drive

Size: 9.41 acres Tax Parcel No. G0220 00116



Red Devil Field Property

Location: 2710 Cross Country Drive

Size: 6.99 acres Tax Parcel No. G0231 00577



Red Devil Field Property

Location: 2710 Cross Country Drive

Size: 6.99 acres Tax Parcel No. G0231 00577

